

REMARKS

Claims 1-8 are pending. The specification and claims 1, 5 and 8 are amended.

Claims are amended for clarity only. No new matter is introduced.

Applicants appreciate the courtesies extended to Applicants' representative, Mr. Paul Tsou, during the January 28 personal interview. The substance of the personal interview is incorporated in the remarks below.

Entry of the amendments is proper under 37 CFR §1.116 because the amendments:

(a) place the application in condition for allowance (for the reasons discussed herein); (b) do not raise any new issue requiring further search and/or consideration (as the amendments amplify issues previously discussed throughout prosecution); and (c) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because the Examiners requested these amendments during the personal interview. Entry of the amendments is thus respectfully requested.

The Office Action objects to the specification indicating that a sentence should be included to acknowledge claim for foreign priority. However, a July 7, 2004 Claim for Priority identifying the foreign application was filed under 35 U.S.C. §119. Further, there is no requirement under 35 U.S.C. §120 for identifying a foreign application from which priority is claimed. Thus, there is no requirement for amending the specification as indicated in the Office Action.

The Office Action further notes that trademarks should be properly indicated. The specification is amended to obviate this objection. Withdrawal of the objection to the specification is respectfully solicited.

The Office Action rejects claims 1, 7 and 8 under 35 U.S.C. §102(b) over Tachibana et al. (U.S. Publication No. 2001/0053246); claim 2 under 35 U.S.C. §103 over Tachibana and Meyer et al. ("Color-Defective Vision ...", IEEE Article); claim 5 is rejected under 35

U.S.C. §103 over Tachibana and Takamura et al. ("Constructing a Uniform Color Space ...", IEEE Article); claim 6 is rejected under 35 U.S.C. §103 over Tachibana and Weast et al. (U.S. Patent No. 6,931,151); and claims 3 and 4 are rejected under 35 U.S.C. §103 over Tachibana, Meyer and Oleari ("Uniform-Scale Chromaticity ...", Color Research & Application). These rejections are respectfully traversed.

The Office Action rejection is substantially identical to the April 11, 2007 rejection with the exception of modifying comments regarding the retrieval unit. Instead of determining a set of confusing colors of the colors contained in the determined color group, the Office Action now asserts that Tachibana discloses determining an association between the colors in the determined color group. However, as discussed in the July 10, 2007 Amendment, Tachibana does not disclose such an association. Tachibana is directed to improving visibility and discriminability of character data displayed on a screen. Tachibana contemplates that each character is displayed using a single color and is concerned about displaying color characters on a background so that a person with color blindness or an elderly person can clearly distinguish the characters. See paragraph [0007]. Thus, Tachibana proposes to extract the characters and determine whether the color of each of the extracted characters is within a range as specified in Fig. 8. If in the range, then the color is converted based on a set of conversion rules so that the characters may be easily observed. See generally, paragraphs [0051] - [0054].

In Fig. 5, Tachibana discloses a flowchart for "preprocessing" by comparing the color of each character against the table shown in Fig. 8. When all the color elements (R, G, B) lie within a range extending from the maximum to the minimum values of the predetermined color, the middle value of this predetermined color (one of the colors in Fig. 8) is set. See middle of paragraph [0048]. Subsequently, the colors of each of the characters that has been preprocessed, are then processed via the color conversion rules so that the color may be set to

a desired color. Fig. 5 step S525 indicates the preprocessing of Fig. 5 is performed one character at a time. Thus, there is nothing in Tachibana that discloses an association between colors of a determined group, as recited in claims 1 and 8. As also recited in these claims, the colors contained in the determined color group are confusing colors set based on the association. These limitations are not disclosed or suggested in Tachibana.

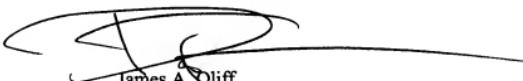
As agreed during the personal interview, the range of color element values in Tachibana's Fig. 8 is not related to grouping of colors but to accommodate different types of hardware display devices. See paragraph [0044] and [0046], for example. Thus, Tachibana does not disclose, suggest or in anyway recognize "a set of colors contained in the determined color group as a confusion color set," as recited in claims 1 and 8.

None of the other applied references (Meyer, Takamura, Weast or Oleari) discloses the above indicated association recited in claims 1 and 8. Thus, none of these other references supply the subject matter lacking in Tachibana. Claims 2-7 depend from claim 1. Accordingly, Tachibana, Meyer, Takamura, Weast and Oleari, individually or in combination, do not disclose or suggest the subject matter recited in claims 1-8. Withdrawal of the rejection of claims 1-8 under 35 U.S.C. §102 or §103 is respectfully solicited.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-8 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:

Petition for Extension of Time

Date: February 4, 2008

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